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EXAMINER

LE, CANH

ART UNIT PAPER NUMBER

2139

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/03/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/741,512

Applicant(s)

CHEBOLU ET AL.

Examiner

Canh Le

Art Unit

2139

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-63 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-63 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/19/2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892).
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

This Office Action is in response to the application filed on 12/19/2003. Claims 1-63 are pending and have been examined.

### ***Claim Rejections - 35 USC § 112***

Claims 1-42, 45, and 59 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

**Claims 1 and 22** are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential elements, such omission amounting to a gap between the elements. See MPEP § 2172.01. The omitted elements are: There is only one access control element in figure 1 corresponding to the claim. Therefore, Claim 1 and 22 cannot be system claims.

**Claim 2-21** dependent on claim 1 and rejected with the same reason.

**Claim 23-42** dependent on claim 22 and rejected with the same reason.

**Claim 3** recites the limitation "the times". There is insufficient antecedent basic for this limitation in the claim.

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**Claim 24** recites the limitation "the report times". There is insufficient antecedent basic for this limitation in the claim.

**Claim 45** recites the limitation "the report times". There is insufficient antecedent basic for this limitation in the claim.

**Claim 3** recites "the report includes the times" where its meaning is unclear. This ambiguity renders claim 3 indefinite.

**Claim 17** recites "further includes times the respective user" where its meaning is unclear. This ambiguity renders claim 17 indefinite.

**Claim 24** recites "specifying in the report times the respective user" where its meaning is unclear. This ambiguity renders claim 24 indefinite.

**Claim 38** recites "further includes times the respective user" where its meaning is unclear. This ambiguity renders claim 38 indefinite.

**Claim 45** recites "the report times the respective user" where its meaning is unclear. This ambiguity renders claim 45 indefinite.

**Claim 59** recites "further includes times the respective user" where its meaning is unclear. This ambiguity renders claim 59 indefinite.

**Claims 23-27** recites "specifying in the report" where its meaning is unclear. This ambiguity renders claim 23-37 indefinite.

***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

**Claims 1-42 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.**

**Claims 1-22**

The language in claim 1 raises an issue because the claim is directed merely to software modules (i.e. a control unit, a reporting unit to collect information). The system for controlling computer access in claim 1 does not have the physical hardware components. There is no actual physical component for a control unit and a report unit of the system. There are GUIs setting specified by an administrator and collecting information from a user that are not tied to an article of manufacture which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101.

Claims 2-22 are dependent claims of claim 1 and rejected with the same reason.

**Claims 22-42**

The language in claim 22 raises an issue because the claim is directed merely to software modules (i.e. specifying settings... ; controlling access...; collecting information ...; compiling information ) that are not tied to an article of manufacture which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101.

Claims 23-42 are dependent claims of claim 22 and rejected with the same reason.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

**Claims 1-11 and 15-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kimball et al. (US 2004/0034646 A1) in view of Mathew et al. (US 2004/0003071 A1).**

**Claim 1**

Kimball teaches system for controlling computer access, comprising:

a control unit to control access to a computer according to settings specified by an administrator for at least one user of the computer *[par. [0022]; lines 1-6; par. [0038], lines 1-4; GUI 114 can include one or more toolbars 118 which include a specific set of controls for user of different ages]; and*

a reporting unit to collect information on which computer applications the respective user is attempting to access on the computer *[fig. 4A; par. [0008]; collecting user information through GUI],*

Kimball does not teach an information being compiled in a report regarding the respective user.

Mathew teaches the information being compiled in a report regarding the respective user *[fig. 17; a user's information is compiling into report in a form of web page; par. [0068], lines 15-20; fig. 14, box 1414, box 1416, and box 1420].*

Thus, it would have been obvious to the person of ordinary skill in the art at the time the invention was made to modify the system of Kimball of the invention by including the step of Mathew because it would give an administrator to generate reports containing desired information such as time signed in, instant messages, visited web sites, and blocked web sites *[Mathew, fig. 17, par. [0068], lines 15-20; fig. 14, box 1414, box 1416, and box 1420].*

### **Claim 2**

Mathew further teaches the system of claim 1, wherein the report includes a duration of time the respective user has accessed a particular computer application *[fig. 17; Tamra has signed in for 3 hours and 24 minutes].*

**Claim 3**

Mathew further teaches the system of claim 1, wherein the report includes the times the respective user has accessed a particular computer application *[fig. 17; Tamra has signed in for 3 hours and 24 minutes]*.

**Claim 4**

Mathew further teaches the system of claim 1, wherein the report includes the computer applications the respective user is denied access to according to the settings specified by the administrator *[fig. 17, section of Blocked Web sites that Tamra attempts to visit.; blocked web sites is equivalent to a denied access ]*.

**Claim 5**

Mathew further teaches the system of claim 1, wherein the report includes the computer applications to which the respective user is granted access *[fig. 17, section of Web sites that Tamra visited; visited web site is equivalent to granted access]*.

**Claim 6**

Mathew further teaches the system of claim 1, wherein the report is in the form of a web page *[fig. 17]*.

**Claim 7**

Mathew further teaches the system of claim 6, wherein the report provides a mechanism for the administrator to authorize the respective user access to a particular application to which the respective was previously denied access *[fig. 17, section of Blocked Web sites, third column; an administrator can select "Allow site"; fig. 16, box 1610 and 1612; par. [0078], lines 1-5 and lines 9-12]*.



**Claim 8**

Mathew further teaches the system of claim 6, wherein the report provides a mechanism for the administrator to prohibit the respective user access to a particular application *[fig. 17, section of Visited sites, third column; an administrator can select "Block site"; fig. 16, box 1610 and 1614; par. [0079], lines 1-10]*.

**Claim 9**

Mathew further teaches the system of claim 6, wherein the report is accessible by the administrator from a remote location from the computer *[par. [0009]; lines 6-8; par. [0069], line 10; a computer generates a history summary report from the stored information; fig. 2, database 206 and database 208]*.

**Claim 10**

Mathew further teaches the system of claim 6, further comprising: a database remote from the computer, the database storing the report regarding the respective user *[par. [0009]; lines 6-8; par. [0069], line 10; a summary information is stored]*.

**Claim 11**

Mathew further teaches the system of claim 1, wherein the reporting unit updates the report with new collected information after an occurrence of at least one particular computer event *[fig. 5B; fig. 5C; par. [0052]; "the parental control server 204 receives the request resolution and update the consent database 208 with request resolution"]*.

**Claim 15**

Mathew further teaches the system of claim 1, wherein the reporting unit further

collects additional information on which services of a designated computer application the respective user is attempting to access on the computer *[par. [0059]; collecting a data related to the request a block 910, routine 900 proceeds to block 912 and create an entry in consent database 208; fig. 7A, entry 714, 718, and 720; additional information include e-mail address requested, amount of time requested, and amount of time unused],*

the additional information being compiled in a report regarding the respective user *[fig. 17; par. [0071]; a report includes email and instant messages of a user were exchange with other people].*

#### **Claim 16**

Mathew further teaches the system of claim 15, wherein the report further includes a duration of time the respective user has accessed a particular service of the designated computer application *[fig. 17; Tamra has signed in for 3 hours and 24 minutes].*

#### **Claim 17**

Mathew further teaches the system of claim 15, wherein the report further includes times the respective user has accessed the particular service of the designated computer application *[fig. 17; Tamra has signed in for 3 hours and 24 minutes].*

#### **Claim 18**

Mathew further teaches the system of claim 15, wherein the report includes the services the respective user is denied access to according to the settings specified by the administrator *[fig. 17, section of Blocked Web sites that Tamra attempts to visit.; blocked web sites is equivalent to a denied access ].*

**Claim 19**

Mathew further teaches the system of claim 15, wherein the report includes the services the respective user is granted access to according to the settings specified by the administrator *[fig. 17, section of Web sites that Tamra visited; visited web site is equivalent to granted access]*.

**Claim 20**

Mathew further teaches the system of claim 15, wherein the report provides a mechanism for the administrator to authorize the respective user access to a particular service to which the respective user was previously denied access *[fig. 17, section of Blocked Web sites, third column; an administrator can select "Allow site"; fig. 16, box 1610 and 1612; par. [0078], lines 1-5 and lines 9-12]*.

**Claim 21**

Mathew further teaches the system of claim 15, wherein the report provides a mechanism for the administrator to prohibit the respective user access to a particular service to which the respective user was previously granted access *[fig. 17, section of Visited sites, third column; an administrator can select "Block site"; fig. 16, box 1610 and 1614; par. [0079], lines 1-10]*.

**Claims 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kimball et al. (US 2004/0034646 A1) and Mathew et al. (US 2004/0003071 A1) in view of Rowland (US 6,405,318 B1).**

**Claim 12**

Kimball and Mathew teach the system as described in claim 11.

Kimball and Mathew do not teach a system wherein the particular computer event includes the respective user logging on the computer.

Rowland teaches a system wherein the particular computer event includes the respective user logging on the computer [*col. 4, lines 30-38; a system monitors logs (record) all logins and logouts for the target host 21*].

Thus, it would have been obvious to the person of ordinary skill in the art at the time the invention was made to modify the system of Kimball and Mathew of the invention by including the step of Rowland because it would be able to detect intrusion as they are occurring or soon after in real-time system [*Rowland, fig. 17, par. [0068], lines 1-3*].

**Claim 13**

Kimball and Mathew teach the system as described in claim 11.

Kimball and Mathew do not teach a system wherein the particular computer event includes the respective user logging off the computer.

Rowland teaches a system wherein the particular computer event includes the respective user logging off the computer [*col. 4, lines 30-38; a system monitors logs (record) all logins and logouts for the target host 21*].

Thus, it would have been obvious to the person of ordinary skill in the art at the time the invention was made to modify the system of Kimball and Mathew of the

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invention by including the step of Rowland because it would be able to detect intrusion as they are occurring or soon after in real-time system *[Rowland, fig. 17, par. [0068], lines 1-3]*.

**Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kimball et al. (US 2004/0034646 A1) and Mathew et al. (US 2004/0003071 A1) in view of Terry (US 2002/0026605 A1).**

**Claim 14**

Kimball and Mathew teach the system as described in claim 11.

Kimball and Mathew do not teach a system wherein the particular computer event includes the start up of the computer.

Terry teaches a system wherein the particular computer event includes the start up of the computer *[par. [0051], lines 1-3; "tracking of all internal machine configuration profiles (start-up) in a computer unit 105 having the client application 110"]*.

Thus, it would have been obvious to the person of ordinary skill in the art at the time the invention was made to modify the system of Kimball and Mathew of the invention by including the step of Terry because it would provide the ability to report in a real-time environment to the monitor station and the ability to record and analyze a "penetration pattern" of unknown program *[Terry, par. [0016] and par. [0017]]*.

**Claims 22-32 and 36-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kimball et al. (US 2004/0034646 A1) in view of Mathew et al. (US 2004/0003071 A1).**

35 U.S.C. 112, sixth paragraph, has been invoked regarding claims 22-32 and 36-42. The claims recite "means for" plus a function. The structures corresponding to the functions given within claims 22-32 and 36-42 are being interpreted by the Examiner as given within paragraph [0048] of the instant applications specification.

**Claim 22**

Kimball teaches a system for controlling computer access, comprising:

a) means for specifying settings to regulate access to a computer for at least one user of the *computer* [par. [0022], lines 1-6; par. [0038], lines 1-4; GUI 114 can include one or more toolbars 118 which include a specific set of controls for user of different ages];

b) means for controlling access to the computer according to the specified settings [par. [0038], lines 8-15; *Different groupings grant different levels access to the Internet*]; and

c) means for collecting information on which computer applications the respective user is attempting to access on the computer *[fig. 4A; par. [0008]; collecting user information through GUI]*, and

Kimball does not teach means for compiling the information into a report of the respective user, the report being viewable by an administrator of the computer.

Mathew teaches means for compiling the information into a report of the respective user, the report being viewable by an administrator of the computer *[fig. 17; a user's information is compiling into report in a form of web page; par. [0068], lines 15-20; fig. 14, box 1414, box 1416, and box 1420]*.

Thus, it would have been obvious to the person of ordinary skill in the art at the time the invention was made to modify the system of Kimball of the invention by including the step of Mathew because it would give an administrator to generate reports containing desired information such as time signed in, instant messages, visited web sites, and blocked web sites *[Mathew, fig. 17, par. [0068], lines 15-20; fig. 14, box 1414, box 1416, and box 1420]*.

### **Claim 23**

Mathew further teaches the system of claim 22, further comprising: means for specifying in the report a duration of time the respective user has accessed a particular computer application *[fig. 17; Tamra has signed in for 3 hours and 24 minutes]*.

### **Claim 24**

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Mathew further teaches the system of claim 22, further comprising: means for specifying in the report times the respective user has accessed a particular computer application *[fig. 17; Tamra has signed in for 3 hours and 24 minutes]*.

**Claim 25**

Mathew further teaches the system of claim 22, further comprising: means for specifying in the report the computer applications the respective user is denied access to according to the settings specified by the administrator *[fig. 17, section of Blocked Web sites that Tamra attempts to visit.; blocked web sites is equivalent to a denied access ]*.

**Claim 26**

Mathew further teaches the system of claim 22, further comprising: means for specifying in the report the computer applications the respective user is granted access to according to the settings specified by the administrator *[fig. 17, section of Web sites that Tamra visited; visited web site is equivalent to granted access]*.

**Claim 27**

Mathew further teaches the system of claim 22, wherein the report is in the form of a web page *[fig. 17]*.

**Claim 28**

Mathew further teaches the system of claim 27, further comprising: means for authorizing the respective user access to a particular application to which the respective user was previously denied access *[fig. 17, section of Blocked Web sites, third column; an administrator can select "Allow site"; fig. 16, box 1610 and 1612; par. [0078], lines 1-5 and lines 9-12]*.



**Claim 29**

Mathew further teaches the system of claim 27, further comprising: means for prohibiting the respective user access to a particular application to which the respective user was previously granted access [*fig. 17, section of Visited sites, third column; an administrator can select "Block site"; fig. 16, box 1610 and 1614; par. [0079], lines 1-10*].

**Claim 30**

Mathew further teaches the system of claim 27, further comprising: means for accessing the report from a remote location from the computer [*par. [0009]; lines 6-8; par. [0069], line 10; a computer generates a history summary report from the stored information; fig. 2, database 206 and database 208*].

**Claim 31**

Mathew further teaches the system of claim 27, further comprising: means for storing the report of the respective user [*par. [0009]; lines 6-8; par. [0069], line 10; a summary information is stored*].

**Claim 32**

Mathew teaches the system of claim 22, further comprising: means for updating the report with new collected information after an occurrence of at least one particular computer event [*fig. 5B; fig. 5C; par. [0052]; "the parental control server 204 receives the request resolution and update the consent database 208 with request resolution"*];

**Claim 36**

Mathew teaches the system of claim 22, further comprising:

means for collecting additional information on which services of a designated

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computer application the respective user is attempting to access on the computer *[par. [0059]; collecting a data related to the request a block 910, routine 900 proceeds to block 912 and create an entry in consent database 208; fig. 7A, entry 714, 718, and 720; additional information include e-mail address requested, amount of time requested, and amount of time unused];*

means for compiling the additional information in a report regarding the respective user *[fig. 17; par. [0071]; a report includes email and instant messages of a user were exchange with other people].*

#### **Claim 37**

Mathew further teaches the system of claim 36, wherein the report further includes a duration of time the respective user has accessed a particular service of the designated computer application *[fig. 17; Tamra has signed in for 3 hours and 24 minutes].*

#### **Claim 38**

Mathew further teaches the system of claim 36, wherein the report further includes times the respective user has accessed the particular service of the designated computer application *[fig. 17; Tamra has signed in for 3 hours and 24 minutes].*

#### **Claim 39**

Mathew further teaches the system of claim 36, wherein the report includes the services the respective user is denied access to according to the settings specified by the administrator *[fig. 17, section of Blocked Web sites that Tamra attempts to visit.; blocked web sites is equivalent to a denied access ].*

#### **Claim 40**

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Mathew further teaches the system of claim 36, wherein the report includes the services the respective user is granted access to according to the settings specified by the administrator *[fig. 17, section of Web sites that Tamra visited; visited web site is equivalent to granted access]*.

**Claim 41**

Mathew further teaches the system of claim 36, further comprising: means for authorizing the respective user to have access to a particular service to which the respective user was previously denied access *[fig. 17, section of Blocked Web sites, third column; an administrator can select "Allow site"; fig. 16, box 1610 and 1612; par. [0078], lines 1-5 and lines 9-12]*.

**Claim 42**

Mathew further teaches the system of claim 36, further comprising: means for prohibiting the respective user to have access to a particular service to which the respective user was previously granted access *[fig. 17, section of Visited sites, third column; an administrator can select "Block site"; fig. 16, box 1610 and 1614; par. [0079], lines 1-10]*.

**Claims 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kimball et al. (US 2004/0034646 A1) and Mathew et al. (US 2004/0003071 A1) in view of Rowland (US 6,405,318 B1).**

35 U.S.C. 112, sixth paragraph, has been invoked regarding claims 33-34. The claims recite "means for" plus a function. The structures corresponding to the functions given within claims 33-34 are being interpreted by the Examiner as given within paragraph [0048] of the instant applications specification.

**Claim 33**

Kimball and Mathew teach the system as described in claim 32.

Kimball and Mathew do not teach a system wherein the particular computer event includes the respective user logging on the computer.

Rowland teaches a system wherein the particular computer event includes the respective user logging on the computer [*col. 4, lines 30-38; a system monitors logs (record) all logins and logouts for the target host 21*].

Thus, it would have been obvious to the person of ordinary skill in the art at the time the invention was made to modify the system of Kimball and Mathew of the invention by including the step of Rowland because it would be able to detect intrusion as they are occurring or soon after in real-time system [*Rowland, fig. 17, par. [0068], lines 1-3*].

**Claim 34**

Kimball and Mathew teach the system as described in claim 32.

Kimball and Mathew do not teach a system wherein the particular computer event includes the respective user logging off the computer.

Rowland further teaches the system wherein the particular computer event includes the respective user logging off the computer *[col. 4, lines 30-38; a system monitors logs (record) all logins and logouts for the target host 21]*.

Thus, it would have been obvious to the person of ordinary skill in the art at the time the invention was made to modify the system of Kimball and Mathew of the invention by including the step of Rowland because it would be able to detect intrusion as they are occurring or soon after in real-time system *[Rowland, fig. 17, par. [0068], lines 1-3]*.

**Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kimball et al. (US 2004/0034646 A1) and Mathew et al. (US 2004/0003071 A1) in view of Terry (US 2002/0026605 A1).**

35 U.S.C. 112, sixth paragraph, has been invoked regarding claim 35. The claims recite "means for" plus a function. The structures corresponding to the functions given within claim 35 is being interpreted by the Examiner as given within paragraph [0048] of the instant applications specification.

**Claim 35**

Kimball and Mathew teach the system as described in claim 32.

Kimball and Mathew do not teach a system wherein the particular computer event includes the start up of the computer.

Terry teaches a system wherein the particular computer event includes the start up of the computer [*par. [0051], lines 1-3; "tracking of all internal machine configuration profiles (start-up) in a computer unit 105 having the client application 110"*].

Thus, it would have been obvious to the person of ordinary skill in the art at the time the invention was made to modify the system of Kimball and Mathew of the invention by including the step of Terry because it would provide the ability to report in a real-time environment to the monitor station and the ability to record and analyze a "penetration pattern" of unknown program [*Terry, par. [0016] and par. [0017]*].

#### **Claims 43-64**

Claims 43-63 are essentially the same as claim 22-42 except that it sets forth the claimed invention as a method rather a system comprising means for function and rejected under the same reasons as applied above.

#### ***Conclusion***

The prior arts made of record and not relied upon are considered pertinent to applicant's disclosure.

Please see attached PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Canh Le whose telephone number is 571-270-1380.

The examiner can normally be reached on Monday to Friday 7:30AM to 5:00PM other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Canh Le  
March 20, 2007

*Tajiri T. Aloni*  
*Primary Examiner*  
*Tajiri T. Aloni*  
*3/30/07*